

JUDGE KAPLAN

UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

Mar 19, 2009

FILED
CLERK'S OFFICE

APR 13 2009

IN RE: LEHMAN BROTHERS HOLDINGS, INC.,
SECURITIES & EMPLOYEE RETIREMENT
INCOME SECURITY ACT (ERISA) LITIGATION

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
JDL No. 2017

09 CIV 3475

(SEE ATTACHED SCHEDULE)

C 09-0876 MEJ

CONDITIONAL TRANSFER ORDER (CTO-3)

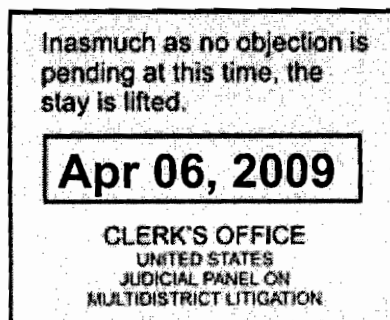
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4/6/09

On February 9, 2009, the Panel transferred nine civil actions to the United States District Court for the Southern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See ___ F.Supp.2d ___ (J.P.M.L. 2009). Since that time, four additional actions have been transferred to the Southern District of New York. With the consent of that court, all such actions have been assigned to the Honorable Lewis A. Kaplan.


It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Southern District of New York and assigned to Judge Kaplan.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Southern District of New York for the reasons stated in the order of February 9, 2009, and, with the consent of that court, assigned to the Honorable Lewis A. Kaplan.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of New York. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.



FOR THE PANEL:



Jeffery N. Lüthi

Clerk of the Panel

A CERTIFIED COPY
J. MICHAEL McMAHON,

CLERK.

BY


DEPUTY CLERK

**IN RE: LEHMAN BROTHERS HOLDINGS, INC.,
SECURITIES & EMPLOYEE RETIREMENT
INCOME SECURITY ACT (ERISA) LITIGATION**

MDL No. 2017

SCHEDULE CTO-3 - TAG-ALONG ACTIONS

DIST. DIV. C.A. #

CASE CAPTION

CALIFORNIA CENTRAL

CAC 2 09-1501

City of Long Beach v. Richard S. Fuld, Jr., et al.

CALIFORNIA EASTERN

CAE 1 09-391

County of Tuolumne v. Ernst & Young, LLP, et al.

CALIFORNIA NORTHERN

CAN 3 09-875

City of Auburn v. Richard S. Fuld, Jr., et al.

✕ CAN 3 09-876

City of Burbank v. Richard S. Fuld, Jr., et al.

CAN 3 09-877

City of San Buenaventura v. Richard S. Fuld, Jr., et al.

CAN 3 09-926

City of Fremont v. Citigroup Global Markets, Inc., et al.

CONNECTICUT

CT 3 09-305

Eric Taussig v. Richard S. Fuld, Jr.

UNITED STATES DISTRICT COURT
Southern District of New York
Office of the Clerk
500 Pearl Street
New York, N.Y. 10007
(212) 805-0646

J. Michael McMahon
Clerk

USDC NORTHERN DISTRICT OF CALIFORNIA

Date: 04/06/2009

In Re: LEHMAN BROTHERS
HOLDINGS, INC.
MDL 2017

Your Docket #
09 - 876 *MEJ*

S.D. OF N.Y.
09 CV 3475

RECEIVED

APR 13 2009

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Dear Sir:

Enclosed is a certified copy of the order of the Judicial Panel on Multidistrict Litigation, transferring the above entitled action presently pending in your court, to the Southern District of New York and assigned to Judge KAPLAN for coordinated or consolidated pretrial processing pursuant to 28 USC 1407.

Please return the copy of this letter when transmitting a CERTIFIED COPY OF THE DOCKET SHEET. We will retrieve the documents using our Pacer system. Please note we DO NOT utilize the CM/ECF transfer function.

Sincerely,
J. Michael McMahon

By: PHYLLIS ADAMIK
MDL Unit
(212) 805-0646